

O'NEILL / HASSEN

Attorneys at Law

January 22, 2021

VIA ECF and Email

Honorable Paul G. Gardephe
United States District Judge
United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

The Application is granted.

SO ORDERED:


Paul G. Gardephe, U.S.D.J.

Dated: January 25, 2021

RE: *United States v. Omar Amanat*, 15 Cr. 536 (PGG)

Dear Judge Gardephe:

We represent Omar Amanat in the above-captioned-case. We write to request that the Court adjourn the deadline for the defense reply to the initial Rule 33 motion (ECF Docket Number 1112) to be commensurate with the deadline for the supplemental Rule 33 motion. (ECF Docket Number 1113). The government does not object to this defense motion.

The government requested an adjournment of their response to Mr. Amanat's Rule 33 motions based on newly discovered evidence. (ECF Docket Number 1119). I had understood that the request was to adjourn the date for both of Mr. Amanat's Rule 33 motions (ECF Docket Numbers 1112, and 1113). However, the government filed its response to one of Mr. Amanat's Rule 33 motions on Tuesday January 19, 2021, a date that comported with the Court's original schedule. In consulting with the government, I have learned that it only intended for the original adjournment motion to apply to the supplemental Rule 33 motion. (ECF Docket Number 1113).

I am writing to request that the Court set both reply deadlines to be the same day – 10 days after the government files its response to the supplemental Rule 33 motion, ECF Docket Number 1113. There are several reasons we make this request.

Coordinating fruitful discussions with clients during COVID-19 times has been frustrating at best. Legal mail at MDC has suffered from considerable delays both due to delays in the United States Postal System and due to staff shortages and lockdowns at MDC. Scheduling legal calls and conferences takes additional time. Calls can sometimes take weeks to schedule. We have not had the opportunity to review the government's

response with Mr. Amanat, much less develop our reply and review it with our client. Because of these limitations of attorney visitation in the MDC during COVID-19, a filing that could be turned around easily with in-person visits, prior to the pandemic, now takes considerable time in advance for scheduling multiple meetings.

It is prudent to have the defense reply to the Rule 33 motions on a single day. This will save time and CJA resources in this already complex case.

Finally, since the Rule 33 schedule has already been adjourned for one motion, this will not affect the other pending matters in this case. As the Court is aware, Mr. Amanat is anxious to be sentenced and we are keenly aware that any delay is another day that Mr. Amanat spends in MDC Brooklyn. The government does not object to this request.

I thank the Court for its attention to this matter.

Respectfully submitted,

/s/

Grainne E. O'Neill
Jacob Barclay Mitchell
Attorneys for Omar Amanat

Cc: All counsel (Via ECF)